

BEST AVAILABLE COPYRemarks/Arguments**Rejections under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Pub. No. 2005/0152146 A1 to Owen et al. ("Owen"). Applicants respectfully request reconsideration of this rejection for at least the following reasons.

As for claim 1, claim 1 currently recites:

A projection system comprising:
a solid state light source;
a sensor integrated with the solid state light source to monitor a region of the solid state light source for a thermal condition, and output a signal indicative of the thermal condition of the monitored region; and
a controller coupled to the sensor to conditionally initiate one or more thermal management actions based at least in part on the thermal condition of the region as indicated by the signal.

*Underline added

In the Office Action, the Examiner rejected claim 1 because it was alleged that each and every element of claim 1 was disclosed in *Owen*. However, Applicants submit that as amended, claim 1 is not anticipated by *Owen*. In particular, *Owen* does not disclose the feature "a sensor integrated with the solid state light source to monitor a region of the solid state light source for a thermal condition." At best, *Owen* only discloses a projection system that includes a sensor 32 that is indirectly coupled to a solid state light source 22 via a substrate 24. See, for example, Figure 2 of *Owen*. Presumably the Examiner is interpreting the word "integrated" as recited in claim 1 so broadly that the teaching of *Owen* reads upon claim 1. However, such an interpretation of "integrated" is clearly erroneous in light of the specification and prosecution history.

That is, Applicants respectfully remind the Examiner that the Court of Appeals for the Federal Circuit held in *Phillips v. AWH Corp.*, No. 03-1269, 415 F.3d 1303 (Fed. Cir.

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July 12, 2005) (en banc) that in discerning the meaning of claim terms, resort to dictionaries and treatises may be helpful; however, "undue reliance on extrinsic evidence poses the risk that it will be used to change the meaning of claims in derogation of the 'indisputable public records consisting of the claims, the specification and the prosecution history,' thereby undermining the public notice function of patents." *Phillips*, at 1319 (quoting *Southwall Techs., Inc. v. Cardinal IG Co.*, 54 F.3d 1570, 1578 (Fed. Cir. 1995). "Heavy reliance on the dictionary divorced from the intrinsic evidence risks transforming the meaning of the claim term to the artisan into the meaning of the term in the abstract, out of its particular context, which is the specification." *Phillips* at 1321. Further, the Court in a previous decision held that claims "must be read in view of the specification, of which they are a part." *Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 979 (Fed. Cir. 1995) (en banc). Therefore, claims must be interpreted in light of the specification.

The paragraph that begins on line 17 of page 4 of the specification states:

Sensors 112 are employed to monitor one or more terminal conditions of one or more regions or locations of one or more of light sources 102. In various embodiments, sensors 112 are external, but proximally disposed to the regions/locations they monitor. In other embodiments, e.g. where light sources 102 are solid state light sources, sensors 112 are integrated with the light sources at the regions/locations of interest. Typically, but not necessarily, they are integrated to monitor the thermal conditions of a number of critical junctions of the solid state light sources.

As used above, the word "integrated" means that the sensors are "integrated" with the light sources at the regions/locations of interest and not simply being "external, but proximally disposed to the regions/locations they monitor" as taught in *Owen*.

Applicants further respectfully remind the Examiner that original claim 1 recited, among other things, the limitation "a sensor either coupled to or integrated with the solid state light source to monitor a region of the solid state light source for a thermal condition, and output a signal

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indicative of the thermal condition of the monitored region." Note that the words "coupled to" as used in original claim 1 was used to describe an alternative relationship (relative to the word "integrated") between the sensor and the solid state light source. Thus, the words "coupled to" and "integrated" were meant to have two distinct meanings, particularly in light of the specification. Note further that in the response to the previous Office Action mailed on June 30, 2005, the words "coupled to" were deleted. In light of the specification and prosecution history, Applicants submit that the word "integrated" as recited in claim 1 should not be so broadly interpreted such that *Owen* reads upon claim 1. Applicants therefore, respectfully submit that *Owen* does not teach each and every feature of claim 1 and that claim 1 is patentable over *Owen*.

Independent claims 12 and 19 have features similar to those of claim 1 as recited above. Therefore, for at least the same reasons that claim 1 is patentable over *Owen*, claims 12 and 19 are also patentable over *Owen*. Dependent claims 2-11, 13-18, and 20 depend from and add additional features to claims 1, 12, and 19, respectively. Thus, by virtue of their dependency, claims 2-11, 13-18, and 20 are also patentable over *Owen*.

BEST AVAILABLE COPY**Conclusion**

In view of the foregoing, the Applicants respectfully submit that claims 1-20 are in a condition for allowance. Early issuance of Notice of Allowance is respectfully requested.

If the Examiner has any questions, she is invited to contact the undersigned at 503-796-2099.

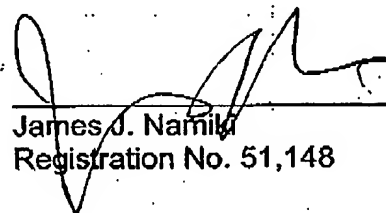
The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,

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